

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed Emergency

Pursuant to the authority of Iowa Code section 249A.4 and 2013 Iowa Acts, Senate File 446, section 12, the Department of Human Services amends Chapter 78, “Amount, Duration and Scope of Medical and Remedial Services,” Iowa Administrative Code.

This amendment excludes coverage of and payment for elective, non-medically necessary cesarean section (C-section) deliveries.

The Iowa Medicaid Enterprise (IME) currently reimburses hospitals and physicians for C-section deliveries, regardless of the medical necessity. This amendment eliminates reimbursement to hospitals and physicians for C-sections that were not medically necessary. This amendment aligns with similar initiatives undertaken by the Iowa HealthCare Collaborative, as well as by various individual hospitals and hospital systems.

The Council on Human Services adopted this amendment on June 26, 2013.

Pursuant to Iowa Code section 17A.4(3), the Department finds that notice and public participation are impracticable because the Legislature provided a specific grant of emergency rule-making authority for this cost-saving measure.

Pursuant to Iowa Code section 17A.5(2)“b”(1), the Department further finds that the normal effective date of this amendment, 35 days after publication, should be waived and the amendment made effective July 1, 2013, because the amendment is in accordance with legislative intent for specific cost-saving measures.

This amendment is also published herein under Notice of Intended Action as **ARC 0845C** to allow for public comment.

This amendment does not provide for waiver in specified situations because requests for waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code section 249A.4.

This amendment became effective July 1, 2013.

The following amendment is adopted.

Adopt the following **new** paragraph **78.1(1)“h”**:

h. Elective, non-medically necessary cesarean section (C-section) deliveries.

[Filed Emergency 6/26/13, effective 7/1/13]

[Published 7/24/13]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 7/24/13.